

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL CORK,

Plaintiff,

v.

Case Number 12-11214

Honorable David M. Lawson

Magistrate Judge Mona K. Majzoub

MICHIGAN PAROLE BOARD,
THOMAS COMBS, ABIGAIL A.
CALLEJAS, and CHARLES L.
BROWN,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING CASE**

Presently before the Court is the report issued on January 14, 2013 by Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b), recommending that the Court grant the defendants' motion for summary judgment and dismiss the case. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

The plaintiff has also filed a motion for leave to supplement his complaint by adding claims for alleged acts of retaliation committed by one of the defendants after the original complaint in this

case was filed. The Court will deny that motion without prejudice to the plaintiff filing a new complaint regarding any claims that have arisen since the commencement of this case.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #14] is **ADOPTED**.

It is further **ORDERED** that the defendants' motion for summary judgment [dkt. #9] is **GRANTED**.

It is further **ORDERED** that the case is **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that the plaintiff's motion for leave to file his supplemental complaint [dkt. #15] is **DISMISSED** without prejudice to the plaintiff's right to file a new complaint concerning any claims that arose after he filed the original complaint in this action. If the plaintiff desires to file a complaint raising his new claims, then he must submit his complaint as a new matter for filing with the Clerk of Court (after exhausting his administrative remedies) and either pay a filing fee or seek leave to proceed *in forma pauperis*.

s/David M. Lawson

DAVID M. LAWSON
United States District Judge

Dated: February 1, 2013

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 1, 2013.

s/Shawntel Jackson

SHAWNTEL JACKSON